

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA :

-against- : NOTICE OF MOTION

RONALD HERRON, also known as "Ra," : (S-6) 10 Cr 615 (NGG)  
"Ra Diggs," "Ra Digga," and :  
"Raheim," :

Defendant. :

-----X

PLEASE TAKE NOTICE, that defendant RONALD HERRON, will move this Court, by his attorneys, ROBERT A. SOLOWAY and JAMES E. NEUMAN, before the Honorable Nicholas G. Garaufis, United States District Judge, at the United States Courthouse, located at 225 Cadman Plaza East, Brooklyn, New York, at a date and time convenient to the Court, for an order granting the following relief:

1. Pursuant to Rule 12(b)(3) of the Federal Rules of Criminal Procedure, suppressing certain physical evidence attributable to the defendant and seized in violation of his Constitutional rights, or in the alternative for a hearing to determine the admissibility of such evidence.

2. Dismissing Count 16 on the grounds that venue is improperly laid in the Eastern District of New York.

3. Directing the government to identify any video or audio recordings it intends to introduce at trial and provide transcripts for those calls, pursuant to Rule 106 of the Federal Rules of Evidence, on or before December 15, 2013.

4. Directing the government to forthwith provide all exculpatory material and all materials favorable to the defense including but not limited to material relevant to impeachment for bias and hostility as soon as it becomes available pursuant to Brady v Maryland, 373 U.S. 73 (1963), Giglio v United States, 405 U.S. 150 (1972), United States v Bagley, 473 U.S. 667 (1987) and their progeny.

5. Directing the government to disclose at least 30 days prior to trial any prior bad act evidence which it may seek to introduce at trial pursuant to Federal Rule of Evidence 404(b) against RONALD HERRON in order that the admissibility of such evidence may be brought before the Court for an in limine ruling.

6. Directing the government to disclose prior to trial all uncharged criminal conduct which it may seek to introduce to prove the existence of the conspiracy/enterprise, or RONALD HERRON'S participation therein.

7. Pursuant to Rule 12(b) of the Federal Rules of Criminal Procedure and Roviaro v United States, 353 U.S. 53 (1957), directing the government to forthwith disclose the identities of the confidential informants and cooperating co-defendants.

8. Pursuant to 18 U.S.C. § 3500, directing the disclosure by the government of all statements of government witnesses which relate to the subject matter of the witness' testimony in a manner sufficiently timely to permit meaningful review and use on cross-

examination by the defense, and disclosure of the names of key witnesses and other contact information forthwith.

9. Granting the defendant a Bill of Particulars.

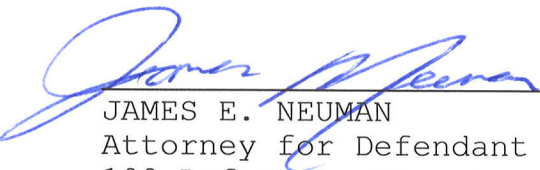
10. Granting the defendant such other, further, and different relief as this Court may deem just and proper.

Dated: New York, New York  
November 5, 2013

ROTHMAN, SCHNEIDER,  
SOLOWAY & STERN, LLP  
Attorneys for Defendant  
100 Lafayette Street  
New York, New York 10013  
(212) 571-5500

BY: 

ROBERT A. SOLOWAY

  
JAMES E. NEUMAN  
Attorney for Defendant  
100 Lafayette Street  
New York, New York 10013  
(212) 966-5612